

## **School Improvement Grants – Frequently Asked Questions**

### **A-32a. May an LEA use SIG funds to pay for the portion of a teacher’s salary that is attributable to providing increased learning time beyond the regular school day, week, or year?**

Yes. Both the turnaround model and the transformation model require an LEA to provide increased learning time, which is generally defined as “using a longer school day, week, or year schedule to significantly increase the total number of school hours to include additional time for” instruction in core academic subjects; instruction in other subjects and enrichment activities; and teachers to collaborate, plan, and engage in professional development. See sections I.A.2(a)(1)(viii), I.A.2(d)(3)(i), I.A.3 of the final requirements. Because a school must operate a schoolwide program in order to implement either of these models, the LEA must provide the school all of the non-Federal funds it would otherwise receive in the absence of the SIG funds. ESEA section 1114(a)(2)(B). These non-Federal funds include the funds necessary and sufficient to provide the school’s regular instructional program—*i.e.*, the program the school provides during the regular school day, week, or year. If this requirement is met, the LEA may use SIG funds in the school to support the extra costs of providing increased learning time beyond the regular school day, week, or year. See A-32b. For example, the LEA may use SIG funds to pay the pro-rata share of a teacher’s salary that is attributable to a longer school day, week, or year and is necessary to implement a turnaround or transformation model, even if the teacher is providing instruction in core academic subjects during the increased learning time. (Added May 2010)

### **A-32b. How may an LEA determine what costs are attributable to providing increased learning time beyond the regular school day, week, or year?**

To determine what costs may be attributed to providing increased learning time beyond the regular school day, week, or year, an LEA must first define its regular school day, week, or year. An LEA might do so in any one of several ways. The LEA might determine the length of the school day, week, or year in its schools that are not implementing a turnaround or transformation model and, therefore, are not required to provide increased learning time. If all its schools are implementing a turnaround or transformation model, the LEA might determine what length of school day, week, or year is necessary to comply with State law. If State law does not require a specific minimum number of instructional hours, the LEA might determine what amount of time is necessary and sufficient to provide its regular instructional program. Then, the LEA may use SIG funds to pay for additional costs to provide increased learning time under a turnaround or transformation model over and above what it would otherwise be required to provide. If, however, the LEA provides increased learning time in all of its schools—*i.e.*, both those that receive SIG funds and those that do not—the LEA would need to support the additional costs in all schools, including SIG schools, with non-Federal funds in order to meet the requirement in section 1114(a)(2)(B) of the ESEA. See A-32a. (Added May 2010)

**A-32c. May an LEA use SIG funds to offset transportation costs associated with providing increased learning time?**

Generally, providing transportation to students in order for them to attend school is a regular responsibility an LEA carries out for all students and, thus, may not be paid for with Federal funds unless specifically authorized. However, an LEA may use SIG funds to cover transportation costs if the costs are directly attributable to implementation of a school intervention model, are reasonable and necessary, and exceed the costs the LEA would have incurred in the absence of its implementation of the model.

As required under the turnaround and transformation models, providing increased learning time, by definition, means using a longer school day, week, or year schedule to significantly increase the total number of school hours for instruction and teacher collaboration and making it available to all students in a school (see A-31 and A-32). If an LEA provides transportation to students in order for them to attend school, those same costs would generally be incurred to transport students even if their school day has been extended. As such, the costs of transporting those students generally may not be paid for with SIG funds. To the extent, however, that providing increased learning time requires an LEA to incur additional costs that are directly attributable to the increased learning time and that exceed those costs that it would normally incur to provide transportation to students in order to attend school, the LEA may be able to use SIG funds to cover the incremental transportation costs, provided those costs are also reasonable and necessary to carry out one of the four school intervention models. Such costs would need to be included in the LEA's proposed SIG budget and reviewed and approved by the SEA. In addition, the LEA must keep records to demonstrate that such costs are directly attributable to its implementation of a school intervention model as well as reasonable and necessary and that it has charged only incremental transportation costs to its SIG grant. (Added May 2010)

**G-1. May an SEA award SIG funds to an LEA for a Tier I or Tier II school that has implemented, in whole or in part, a turnaround model, restart model, or transformation model within the last two years?**

Yes, Section I.B.1 of the final requirements allows an SEA to award SIG funds to an LEA for a Tier I or Tier II school that has implemented, in whole or in part, one of the models within the last two years so that the LEA and school can continue or complete the intervention being implemented. For example, if a Tier I or Tier II school has hired a new principal within the last two years as part of a school reform effort, consistent with G-1b, the SEA may award funds to the school's LEA to implement a turnaround, restart, or transformation model in the school and the school would not be required to hire another new principal. A school that receives SIG funds in accordance with this flexibility must fully implement the selected model pursuant to the final requirements. In other words, if the school had been implementing the model only in part, it must use the SIG funds it receives to expand its implementation so that it fully complies with the requirements of the selected model. (Revised May 2010)

**G-1a. To take advantage of the flexibility afforded in Section I.B.1 of the final requirements with respect to FY 2009 SIG funds, what is the earliest time at which**

**an LEA could have begun implementing, in whole or in part, a school intervention model?**

As noted in G-1, under Section I.B.1, an SEA may award SIG funds to an LEA that has implemented, in whole or in part, one of the school intervention models “within the last two years” in a Tier I or Tier II school. The Department is clarifying that, to take advantage of this flexibility with respect to FY 2009 SIG funds, the earliest an LEA could have begun to implement one of the school intervention models is the start of the 2007-2008 school year. However, an SEA may decide to implement this flexibility by using a subsequent point in time as the earliest that an LEA could have begun implementing a model in order to use SIG funds to continue its implementation (*e.g.*, no earlier than the start of the 2008-2009 school year).

Note that this question and answer replace the addendum to G-1 that was published in the Frequently Asked Questions for LEAs on March 24, 2010. (Revised May 2010)

**G-1b. Does the flexibility afforded in Section I.B.1 of the final requirements enable an LEA to retain any principal who has been hired for a Tier I or Tier II school within the last two years?**

No. The flexibility in Section I.B.1 is not intended to protect the job of *any* recently hired principal in a Tier I or Tier II school. Rather, the flexibility provided is intended to permit an LEA to continue a previously implemented intervention aimed at turning around a low-achieving school that included hiring a new principal for that purpose. Accordingly, an LEA taking advantage of this flexibility should be able to demonstrate that: (1) the prior principal in the school at issue was replaced as part of a broader reform effort, and (2) the new principal has the experience and skills needed to implement successfully a turnaround, restart, or transformation model. (Added May 2010)

**I-4a. May an SEA impose additional requirements for the implementation of the SIG program beyond those set forth in the final requirements?**

The final requirements for the SIG program vest an LEA with the authority to select the appropriate school intervention model and to determine how best to meet the requirements for that model in each of the Tier I and Tier II schools it commits to serve. A key principle of the SIG program is that these decisions will be made based on an LEA’s careful analysis of local needs and capacity.

However, an SEA may issue rules, regulations, and policies to support the implementation of the SIG program so long as those rules, regulations, and policies conform to the purposes of Title I and are consistent with the Title I requirements. (ESEA section 1903.) An SEA that wishes to impose additional requirements for the SIG program must have authority under State law to do so; the final requirements for the SIG program do not authorize an SEA to take action that it is not otherwise permitted to take. Additionally, in accordance with section 1903(a)(1)(D) and 1903(b) of the ESEA, any additional requirements imposed by an SEA must be reviewed by the State’s Committee of Practitioners and must be identified by the SEA as State-imposed requirements.

If an SEA chooses to impose additional requirements, any such requirements should be thoughtfully designed to support its schools' effective implementation of the SIG program in order to improve outcomes for students. Thus, requirements should be flexible enough to permit adaptation to meet local needs and circumstances. These additional requirements should be part of a coherent SEA strategy to turn around its persistently lowest-achieving schools.

An SEA may not, however, issue rules, regulations, or policies that would be inconsistent with the final requirements for SIG. For example, an SEA could not require an LEA implementing the school closure model to enroll students who attended the closed school in the closest school unless that school also was a higher-achieving school, consistent with the requirement that students from the closed school be enrolled in higher-achieving schools. (Added May 2010)

**I-29. May an SEA allocate funds it reserves under section 1003(a) of the ESEA along with section 1003(g) funds in making SIG grant awards to its LEAs in order to increase the total amount available to implement the SIG program?**

Yes, an SEA may allocate funds it reserves under section 1003(a) of the ESEA along with section 1003(g) (SIG) funds in making SIG grant awards to its LEAs in order to increase the total amount available to implement the SIG program. However, there are three issues to keep in mind if an SEA decides to combine section 1003(a) and section 1003(g) funds. First, section 1003(a) funds may be awarded only to participating Title I schools that have been identified for improvement, corrective action, or restructuring. Second, the SEA must ensure that those funds are expended consistent with the SIG final requirements. With respect to Tier I and Tier II schools, therefore, section 1003(a) funds would be able to be used only to implement one of the four school intervention models. And third, an SEA that has obtained a waiver to extend the period of availability of FY 2009 SIG funds would likely want to request a waiver to extend the period of availability of FY 2009 section 1003(a) funds in order to make the period of availability for the section 1003(a) funds commensurate with the period of availability for the SIG funds.

Note that if an SEA wishes to award section 1003(a) funds so that a Tier I or Tier II school that will not receive SIG funds will be able to use section 1003(a) funds to implement one of the school intervention models consistent with the SIG final requirements, the SEA might want to request, with respect to its section 1003(a) funds, each of the waivers the SEA has received with respect to its SIG funds—*i.e.*, the waiver to extend the period of availability of the funds, the waiver for a targeted assistance school to operate a schoolwide program, and the school improvement timeline waiver. These waivers would help ensure that a school implementing a school intervention model using section 1003(a) funds is treated in a manner consistent with schools that are using SIG funds to implement the interventions. (Added May 2010)